

## Westlake, Kenneth

---

**From:** Swiderski, Jim <Jim.Swiderski@mail.house.gov>  
**Sent:** Monday, August 04, 2014 5:45 PM  
**To:** Westlake, Kenneth; 'Tamara.E.Cameron@usace.army.mil'; Halter, Brenda -FS (bhalter@fs.fed.us); bmoore@polymetmining.com  
**Cc:** Anderson, Jeff; Torkelson, Jodie; Yates, Ione  
**Subject:** Request for Conference Call

Re: Request for Conference Call

Congressman Rick Nolan has asked me to organize a one hour conference call with all of you on **Thursday, August 7<sup>th</sup> at 10:00 am**, Central Time, or on **Wednesday, August 13<sup>th</sup> at 9:00 am**, Central Time to review the status of the PolyMet NorthMet project review process. Could you each review your schedules as early as possible and determine if you are available on either or both of those dates? We are trying to work out changes in the Congressman's schedule at this time, and I will confirm which time as soon as possible.

The purpose of this call is to look at the Final EIS process, the Section 404 wetlands review, and the Section 106 cultural resources review and get a sense of where we are at in the overall process. Are there any outstanding issues to be addressed at this time? Are we on target with the anticipated timelines? Does everyone have sufficient resources available to complete the review in a timely manner? Are there any other issues that might delay this process going forward in a timely manner? What other concerns do any of you have at this point in time?

Congressman Nolan is back in Minnesota now, during the August District Work Period, and is frequently meeting with constituents who have questions about the progress of this review. Of course we all want this process to move along as expeditiously as possible, and the Congressman would like to be as well informed as possible on this important project. If he can be helpful to any of you in any way, he hopes you will let him know.

Please feel free to call me at 202-225-6211 to discuss in more detail or reply by email.

Thank you so much.

Jim

Jim Swiderski  
Legislative Director  
US Representative Rick Nolan  
2447 Rayburn HOB  
Washington, DC 20515

[Jim.swiderski@mail.house.gov](mailto:Jim.swiderski@mail.house.gov)  
202-225-6211



## Westlake, Kenneth

---

**From:** Swiderski, Jim <Jim.Swiderski@mail.house.gov>  
**Sent:** Tuesday, August 05, 2014 9:56 AM  
**To:** Westlake, Kenneth; 'Tamara.E.Cameron@usace.army.mil'; 'Halter, Brenda -FS (bhalter@fs.fed.us)'; 'bmoore@polymetminning.com'  
**Cc:** Anderson, Jeff; Torkelson, Jodie; Yates, Ione  
**Subject:** RE: Request for Conference Call

Hello Everyone,

Ken Westlake is not available this week. Is everyone available on August 13<sup>th</sup>?

Jim

Jim Swiderski  
Legislative Director  
US Representative Rick Nolan  
2447 Rayburn HOB  
Washington, DC 20515

[Jim.swiderski@mail.house.gov](mailto:Jim.swiderski@mail.house.gov)  
202-225-6211

---

**From:** Swiderski, Jim  
**Sent:** Monday, August 04, 2014 6:45 PM  
**To:** 'Westlake.kenneth@epa.gov'; 'Tamara.E.Cameron@usace.army.mil'; Halter, Brenda -FS (bhalter@fs.fed.us); bmoore@polymetminning.com  
**Cc:** Anderson, Jeff; Torkelson, Jodie; Yates, Ione  
**Subject:** Request for Conference Call

Re: Request for Conference Call

Congressman Rick Nolan has asked me to organize a one hour conference call with all of you on **Thursday, August 7<sup>th</sup> at 10:00 am**, Central Time, or on **Wednesday, August 13<sup>th</sup> at 9:00 am**, Central Time to review the status of the PolyMet NorthMet project review process. Could you each review your schedules as early as possible and determine if you are available on either or both of those dates? We are trying to work out changes in the Congressman's schedule at this time, and I will confirm which time as soon as possible.

The purpose of this call is to look at the Final EIS process, the Section 404 wetlands review, and the Section 106 cultural resources review and get a sense of where we are at in the overall process. Are there any outstanding issues to be addressed at this time? Are we on target with the anticipated timelines? Does everyone have sufficient resources available to complete the review in a timely manner? Are there any other issues that might delay this process going forward in a timely manner? What other concerns do any of you have at this point in time?

Congressman Nolan is back in Minnesota now, during the August District Work Period, and is frequently meeting with constituents who have questions about the progress of this review. Of course we all want this process to move along as

expeditiously as possible, and the Congressman would like to be as well informed as possible on this important project. If he can be helpful to any of you in any way, he hopes you will let him know.

Please feel free to call me at 202-225-6211 to discuss in more detail or reply by email.

Thank you so much.

Jim

Jim Swiderski  
Legislative Director  
US Representative Rick Nolan  
2447 Rayburn HOB  
Washington, DC 20515

[Jim.swiderski@mail.house.gov](mailto:Jim.swiderski@mail.house.gov)  
202-225-6211

## Westlake, Kenneth

---

**From:** Swiderski, Jim <Jim.Swiderski@mail.house.gov>  
**Sent:** Friday, August 08, 2014 11:51 AM  
**To:** 'bhalter@fs.fed.us'; 'rperiman@fs.fed.us'; Westlake, Kenneth; 'bstrom@fs.fed.us'; 'Tamara.E.Cameron@usace.army.mil'; 'bmoore@polymetmining.com'; 'Douglas.W.Bruner@usace.army.mil'; 'Naramore, Barb (DNR)'; Blom, Patti R (DNR) (patti.blom@state.mn.us)  
**Cc:** Anderson, Jeff; Torkelson, Jodie; Yates, Ione  
**Subject:** RE: Request for Conference Call

Hello everyone,

I am writing to confirm that the conference call will be held at **9:00 am** Central time on **Wednesday, August 13** of this coming week.

I will be joining Congressman Nolan on the call. Brad Moore with PolyMet will be on and may be joined by another staff member. I understand that Ron Periman may be filling in for Brenda Halter or possibly joining her on the call. Also, I believe Douglas Bruner will be filling in for Tamara Cameron, and that another staffer may join as well. I am aware this time is available on Ken Westlake's schedule, and barring any other conflict, Ken will be joining the call or we will arrange for a substitute. Barb Naramore or someone from her staff at Minnesota DNR will also join the call.

**Please call this number: 712-775-7300 and enter passcode 439353#. Hit "1" to confirm.** Depending on the conversation, the call should take about one hour.

The objective here is entirely positive. Congressman Nolan wants to be better informed about the progress and the issues involved and see if he can do anything to help all of you complete the work ahead as quickly and as completely as possible. We are not looking to find fault, but rather to identify glitches or problems and see if solutions are available to move forward as scheduled.

Our agenda will be simple. We will ask each office, USFS, EPA, USACE and MN DNR to give a brief rundown of the status of the PolyMet NorthMet project Final EIS review as it relates to their jurisdiction.

1. What has been completed?
2. What is pending? Are you waiting on anyone else to respond?
3. Any outstanding issues of concern? How can those be resolved?
4. Any other concerns you have?
5. What is your estimate of final completion date?

We will also ask PolyMet to list any concerns they may have as well.

Please call me with any questions or concerns. My direct line is 202-226-3025. Office number 202-225-6211.

Thank you so much.

Jim

Jim Swiderski  
Legislative Director  
US Representative Rick Nolan  
2447 Rayburn HOB  
Washington, DC 20515



[Jim.swiderski@mail.house.gov](mailto:Jim.swiderski@mail.house.gov)  
202-225-6211

---

**From:** Swiderski, Jim  
**Sent:** Monday, August 04, 2014 6:45 PM  
**To:** 'Westlake.kenneth@epa.gov'; 'Tamara.E.Cameron@usace.army.mil'; Halter, Brenda -FS (bhalter@fs.fed.us); bmoore@polymetmining.com  
**Cc:** Anderson, Jeff; Torkelson, Jodie; Yates, Ione  
**Subject:** Request for Conference Call

Re: Request for Conference Call

Congressman Rick Nolan has asked me to organize a one hour conference call with all of you on **Thursday, August 7<sup>th</sup> at 10:00 am**, Central Time, or on **Wednesday, August 13<sup>th</sup> at 9:00 am**, Central Time to review the status of the PolyMet NorthMet project review process. Could you each review your schedules as early as possible and determine if you are available on either or both of those dates? We are trying to work out changes in the Congressman's schedule at this time, and I will confirm which time as soon as possible.

The purpose of this call is to look at the Final EIS process, the Section 404 wetlands review, and the Section 106 cultural resources review and get a sense of where we are at in the overall process. Are there any outstanding issues to be addressed at this time? Are we on target with the anticipated timelines? Does everyone have sufficient resources available to complete the review in a timely manner? Are there any other issues that might delay this process going forward in a timely manner? What other concerns do any of you have at this point in time?

Congressman Nolan is back in Minnesota now, during the August District Work Period, and is frequently meeting with constituents who have questions about the progress of this review. Of course we all want this process to move along as expeditiously as possible, and the Congressman would like to be as well informed as possible on this important project. If he can be helpful to any of you in any way, he hopes you will let him know.

Please feel free to call me at 202-225-6211 to discuss in more detail or reply by email.

Thank you so much.

Jim

Jim Swiderski  
Legislative Director  
US Representative Rick Nolan  
2447 Rayburn HOB  
Washington, DC 20515

[Jim.swiderski@mail.house.gov](mailto:Jim.swiderski@mail.house.gov)  
202-225-6211

## Westlake, Kenneth

---

**From:** Swiderski, Jim <Jim.Swiderski@mail.house.gov>  
**Sent:** Monday, August 11, 2014 10:17 AM  
**To:** Deamer, Eileen; Westlake, Kenneth  
**Subject:** RE: Request for Conference Call

Hi Eileen,

I also wanted to update that I asked Barb Naramore from Minnesota DNR to also join the call. She may not be available, but she has assigned Steve Colvin and Jess Richards to participate. Steve is Deputy Director of the Ecological and Water Resources Division, which includes our environmental review unit, and Jess is Director of the Lands and Minerals Division.

Again, this is just a call to touch base and see if anyone has a concern or if someone is waiting on someone else, etc. Congressman Nolan just wants to move the process along and see if there is anything that he can do to help expedite.

Jim

Jim Swiderski  
Legislative Director  
US Representative Rick Nolan  
2447 Rayburn HOB  
Washington, DC 20515

[Jim.swiderski@mail.house.gov](mailto:Jim.swiderski@mail.house.gov)  
202-225-6211

---

**From:** Swiderski, Jim  
**Sent:** Monday, August 11, 2014 11:08 AM  
**To:** 'Deamer, Eileen'  
**Subject:** FW: Request for Conference Call

Hi Eileen,

Just left a message for you. Below is the email that Ken Westlake should have received on Friday that details the Wednesday morning conference call agenda and lists the participants. Please forward this to Ken if I have an incorrect email address.

Thanks much.

Jim

---

**From:** Swiderski, Jim  
**Sent:** Friday, August 08, 2014 12:51 PM  
**To:** 'bhalter@fs.fed.us'; 'rperiman@fs.fed.us'; 'Westlake.kenneth@epa.gov'; 'bstrom@fs.fed.us';

'Tamara.E.Cameron@usace.army.mil'; 'bmoore@polymetmining.com'; 'Douglas.W.Bruner@usace.army.mil'; 'Naramore, Barb (DNR)'; Blom, Patti R (DNR) ([patti.blom@state.mn.us](mailto:patti.blom@state.mn.us))  
**Cc:** Anderson, Jeff; Torkelson, Jodie; Yates, Ione  
**Subject:** RE: Request for Conference Call

Hello everyone,

I am writing to confirm that the conference call will be held at **9:00 am** Central time on **Wednesday, August 13** of this coming week.

I will be joining Congressman Nolan on the call. Brad Moore with PolyMet will be on and may be joined by another staff member. I understand that Ron Periman may be filling in for Brenda Halter or possibly joining her on the call. Also, I believe Douglas Bruner will be filling in for Tamara Cameron, and that another staffer may join as well. I am aware this time is available on Ken Westlake's schedule, and barring any other conflict, Ken will be joining the call or we will arrange for a substitute. Barb Naramore or someone from her staff at Minnesota DNR will also join the call.

**Please call this number: 712-775-7300 and enter passcode 439353#. Hit "1" to confirm.** Depending on the conversation, the call should take about one hour.

The objective here is entirely positive. Congressman Nolan wants to be better informed about the progress and the issues involved and see if he can do anything to help all of you complete the work ahead as quickly and as completely as possible. We are not looking to find fault, but rather to identify glitches or problems and see if solutions are available to move forward as scheduled.

Our agenda will be simple. We will ask each office, USFS, EPA, USACE and MN DNR to give a brief rundown of the status of the PolyMet NorthMet project Final EIS review as it relates to their jurisdiction.

1. What has been completed?
2. What is pending? Are you waiting on anyone else to respond?
3. Any outstanding issues of concern? How can those be resolved?
4. Any other concerns you have?
5. What is your estimate of final completion date?

We will also ask PolyMet to list any concerns they may have as well.

Please call me with any questions or concerns. My direct line is 202-226-3025. Office number 202-225-6211.

Thank you so much.

Jim

Jim Swiderski  
Legislative Director  
US Representative Rick Nolan  
2447 Rayburn HOB  
Washington, DC 20515

[Jim.swiderski@mail.house.gov](mailto:Jim.swiderski@mail.house.gov)  
202-225-6211



## Westlake, Kenneth

---

**From:** Deamer, Eileen  
**Sent:** Monday, August 11, 2014 10:12 AM  
**To:** Westlake, Kenneth  
**Cc:** Kowal, Kathleen  
**Subject:** FW: Request for Conference Call

Fyi –

Sounds like the Congressman will be on the line. Alan should mention (or I can) today at senior staff. E

---

**From:** Swiderski, Jim [mailto:Jim.Swiderski@mail.house.gov]  
**Sent:** Monday, August 11, 2014 10:08 AM  
**To:** Deamer, Eileen  
**Subject:** FW: Request for Conference Call

Hi Eileen,

Just left a message for you. Below is the email that Ken Westlake should have received on Friday that details the Wednesday morning conference call agenda and lists the participants. Please forward this to Ken if I have an incorrect email address.

Thanks much.

Jim

---

**From:** Swiderski, Jim  
**Sent:** Friday, August 08, 2014 12:51 PM  
**To:** 'bhalter@fs.fed.us'; 'rperiman@fs.fed.us'; 'Westlake.kenneth@epa.gov'; 'bstrom@fs.fed.us'; 'Tamara.E.Cameron@usace.army.mil'; 'bmoore@polymetmining.com'; 'Douglas.W.Bruner@usace.army.mil'; 'Naramore, Barb (DNR)'; Blom, Patti R (DNR) ([patti.blom@state.mn.us](mailto:patti.blom@state.mn.us))  
**Cc:** Anderson, Jeff; Torkelson, Jodie; Yates, Ione  
**Subject:** RE: Request for Conference Call

Hello everyone,

I am writing to confirm that the conference call will be held at **9:00 am** Central time on **Wednesday, August 13** of this coming week.

I will be joining Congressman Nolan on the call. Brad Moore with PolyMet will be on and may be joined by another staff member. I understand that Ron Periman may be filling in for Brenda Halter or possibly joining her on the call. Also, I believe Douglas Bruner will be filling in for Tamara Cameron, and that another staffer may join as well. I am aware this time is available on Ken Westlake's schedule, and barring any other conflict, Ken will be joining the call or we will arrange for a substitute. Barb Naramore or someone from her staff at Minnesota DNR will also join the call.

**Please call this number: 712-775-7300 and enter passcode 439353#. Hit "1" to confirm.** Depending on the conversation, the call should take about one hour.

The objective here is entirely positive. Congressman Nolan wants to be better informed about the progress and the issues involved and see if he can do anything to help all of you complete the work ahead as quickly and as completely as

possible. We are not looking to find fault, but rather to identify glitches or problems and see if solutions are available to move forward as scheduled.

Our agenda will be simple. We will ask each office, USFS, EPA, USACE and MN DNR to give a brief rundown of the status of the PolyMet NorthMet project Final EIS review as it relates to their jurisdiction.

1. What has been completed?
2. What is pending? Are you waiting on anyone else to respond?
3. Any outstanding issues of concern? How can those be resolved?
4. Any other concerns you have?
5. What is your estimate of final completion date?

We will also ask PolyMet to list any concerns they may have as well.

Please call me with any questions or concerns. My direct line is 202-226-3025. Office number 202-225-6211.

Thank you so much.

Jim

Jim Swiderski  
Legislative Director  
US Representative Rick Nolan  
2447 Rayburn HOB  
Washington, DC 20515

[Jim.swiderski@mail.house.gov](mailto:Jim.swiderski@mail.house.gov)  
202-225-6211

---

**From:** Swiderski, Jim  
**Sent:** Monday, August 04, 2014 6:45 PM  
**To:** 'Westlake.kenneth@epa.gov'; 'Tamara.E.Cameron@usace.army.mil'; Halter, Brenda -FS ([bhalter@fs.fed.us](mailto:bhalter@fs.fed.us)); [bmoore@polymetmining.com](mailto:bmoore@polymetmining.com)  
**Cc:** Anderson, Jeff; Torkelson, Jodie; Yates, Ione  
**Subject:** Request for Conference Call

Re: Request for Conference Call

Congressman Rick Nolan has asked me to organize a one hour conference call with all of you on **Thursday, August 7<sup>th</sup> at 10:00 am**, Central Time, or on **Wednesday, August 13<sup>th</sup> at 9:00 am**, Central Time to review the status of the PolyMet NorthMet project review process. Could you each review your schedules as early as possible and determine if you are available on either or both of those dates? We are trying to work out changes in the Congressman's schedule at this time, and I will confirm which time as soon as possible.

The purpose of this call is to look at the Final EIS process, the Section 404 wetlands review, and the Section 106 cultural resources review and get a sense of where we are at in the overall process. Are there any outstanding issues to be addressed at this time? Are we on target with the anticipated timelines? Does everyone have sufficient resources available to complete the review in a timely manner? Are there any other issues that might delay this process going forward in a timely manner? What other concerns do any of you have at this point in time?

---

**From:** Z113 Nolan, Rick

**Sent:** Thursday, August 14, 2014 11:30 AM

**To:** 'Douglas.W.Bruner@usace.army.mil'; 'Steve.Colvin@state.mn.us'; 'Jess.Richards@state.mn.us'; 'Bob.Meier@state.mn.us'; 'rperiman@fs.fed.us'; 'mjimenez@fs.fed.us'; 'westlake.kenneth@epa.gov'; 'walts.alan@epa.gov'

**Cc:** Swiderski, Jim; 'bmoore@polymetmining.com'

**Subject:** PolyMet Call Follow Up

Hello everyone,

Thank you for participating in our conference call yesterday morning to review the current status of the PolyMet North Met Project SDEIS (Supplemental Draft Environmental Impact Statement). I know you all have very busy schedules and I appreciate the time you took to prepare for this call and for your thoughtful and candid replies.

Again, let me reiterate, that I see my role as being the advocate for the people of the 8<sup>th</sup> district of Minnesota. We want jobs and a healthy environment, and that is the essential role you play in the future of our region. I am pleased that progress is being made on nearly every issue that has arisen thus far, and that the project seems to be on course for subsequent approval.

I believe in the role and mission of each of your agencies. I am, once again, so impressed by the professionalism of each of you involved in the project review. You are each a credit to your profession and to your commitment to public service.

Again, my door is open to any of you, at any time. If an issue arises that could prove problematic, please let me know. I want to help you get the job done promptly and with full confidence in the anticipated results and impacts. Please keep me and my Legislative Director Jim Swiderski updated on your progress as we move through the critical project review phases ahead.

Sincerely,

Richard M. Nolan  
Member of Congress





## Westlake, Kenneth

---

**From:** Swiderski, Jim <Jim.Swiderski@mail.house.gov>  
**Sent:** Friday, August 15, 2014 10:05 AM  
**To:** 'Periman, Richard -FS'; 'Douglas.W.Bruner@usace.army.mil'; 'Steve.Colvin@state.mn.us'; 'Jess.Richards@state.mn.us'; 'Bob.Meier@state.mn.us'; Jimenez, Michael -FS; Westlake, Kenneth; Walts, Alan  
**Cc:** 'bmoore@polymetmining.com'; Halter, Brenda -FS  
**Subject:** RE: PolyMet Call Follow Up

Thank you Richard. Excellent report. Excellent progress.

Jim

---

**From:** Periman, Richard -FS [mailto:rperiman@fs.fed.us]  
**Sent:** Friday, August 15, 2014 11:01 AM  
**To:** Swiderski, Jim; 'Douglas.W.Bruner@usace.army.mil'; 'Steve.Colvin@state.mn.us'; 'Jess.Richards@state.mn.us'; 'Bob.Meier@state.mn.us'; Jimenez, Michael -FS; 'westlake.kenneth@epa.gov'; 'walts.alan@epa.gov'  
**Cc:** 'bmoore@polymetmining.com'; Halter, Brenda -FS  
**Subject:** RE: PolyMet Call Follow Up

Jim,

Thank you for the opportunity to talk with Congressman Nolan and yourself on Wednesday.

The Superior National Forest summary is provided below:

### Section 106 National Historic Preservation Act (NHPA) Compliance Process

- The Superior National Forest (SNF) is currently finalizing the July 22, 2014, data request from Minnesota State Historic Preservation Office (SHPO).
- The agencies requested additional information from PolyMet in order to respond to data request, and the SNF received that information on August 12, 2014.
- Staff will respond to the SHPO request in the next three to five business days. The agencies will be well positioned to move into Resolution of Adverse Effects consultation, stipulated in 36 CFR 800.6 (NHPA).
- The SNF and other agencies have held several preparatory meetings with PolyMet (July 9, 22, August 8 and 7, 2014) and Tribal cooperating agencies (July 7, 2014) in order to facilitate the first resolution of adverse effect meeting.
- A meeting will be held with consulting parties (Tribal Historic Preservation Officers, Polymet, and SHPO), for the purposes of developing a resolution of adverse effect, in mid-September.
- The agencies, and consulting parties, and the Advisory Council on Historic Preservation (ACHP) will consult to develop a range of alternatives to mitigate adverse effects and work towards development of Memorandum of Agreement (MOA), in early October.
- The final MOA with the agencies and ACHP will be ready for signature in November, to be included in the Final EIS and Record of Decision for the project.

### Section 4 Endangered Species Act (ESA) Consultation

- Biologists from the Forest Service, Army Corps of Engineers, and Fish and Wildlife Service met in early July 2014 to review the Draft Biological Assessment and determine information needs on northern long-eared bats.
- Biologists agreed surveys were warranted to assess presence of the bats in the project area – including both the Forest Service proposed exchange lands and the existing Polymet facilities. Polymet agreed to support the surveys with funding for an inventory crew and by providing access to the facilities.

- These surveys were completed by mid-August and results will be incorporated into the Biological Assessment and Biological Opinion. In addition, the agencies are working with Polymet to continue surveys next summer.

#### Timing

Analysis and consultation for both the Section 106 of the NHPA, and Section 7 of the ESA, are on track for completion of the FEIS.

#### Funding

At present, the SNF anticipates that funding will not be an issue for completion of the assessment and FEIS. The SNF remains committed to working with Polymet under its current Collection Agreement, which helps to fund staff and analyses.

Please do not hesitate to contact me if you have further questions.

Best regards,

Richard Periman

~~~~~  
 Richard Periman  
 Deputy Forest Supervisor  
 Superior National Forest  
 8901 Grand Ave Place  
 Duluth, MN 55808-1122  
 Office: 218-626-4303; Cell: 218.410-1764  
 Email: [rperiman@fs.fed.us](mailto:rperiman@fs.fed.us)  
 ~~~~~

**From:** Swiderski, Jim [<mailto:Jim.Swiderski@mail.house.gov>]  
**Sent:** Thursday, August 14, 2014 10:51 AM  
**To:** 'Douglas.W.Bruner@usace.army.mil'; 'Steve.Colvin@state.mn.us'; 'Jess.Richards@state.mn.us'; 'Bob.Meier@state.mn.us'; Periman, Richard -FS; Jimenez, Michael -FS; 'westlake.kenneth@epa.gov'; 'walts.alan@epa.gov'  
**Cc:** 'bmoore@polymetminning.com'  
**Subject:** RE: PolyMet Call Follow Up

Hello again,

I want to echo what Congressman Nolan has said. It is a pleasure to work with each of you.

Congressman Nolan asked me to prepare a brief report on this meeting. Would you be so kind as to take a few minutes and send me a few paragraphs summarizing the comments you made during the meeting? The questions Congressman Nolan asked during the meeting were:

1. Please summarize where you are at overall in the review process. What is completed and what is yet to be completed?
2. What does the schedule look like going forward? What is your expected completion date? Do you foresee any problems at this point? Will subsequent permits be able to be processed on a timely basis, based on what you know at this time?
3. Is anyone waiting on anyone else at this point? How often do you communicate as a group?
4. Are there any technical issues that have surfaced that are causing concern? Would these items cause problems with environmental standards compliance? Is there a way to address these issues?
5. Is there anything Congressman Nolan can do to assist you in completing this SDEIS? Do you have access to adequate financial resources and staff?



Washington, DC 20515

Jim.swiderski@mail.house.gov

202-225-6211

From: Z113 Nolan, Rick

Sent: Thursday, August 14, 2014 11:30 AM

To: 'Douglas.W.Bruner@usace.army.mil'; 'Steve.Colvin@state.mn.us'; 'Jess.Richards@state.mn.us';  
'Bob.Meier@state.mn.us'; 'rperiman@fs.fed.us'; 'mjimenez@fs.fed.us'; 'westlake.kenneth@epa.gov';  
'walts.alan@epa.gov'

Cc: Swiderski, Jim; 'bmoore@polymetminning.com'

Subject: PolyMet Call Follow Up

Hello everyone,

Thank you for participating in our conference call yesterday morning to review the current status of the PolyMet North Met Project SDEIS (Supplemental Draft Environmental Impact Statement). I know you all have very busy schedules and I appreciate the time you took to prepare for this call and for your thoughtful and candid replies.

Again, let me reiterate, that I see my role as being the advocate for the people of the 8th district of Minnesota. We want jobs and a healthy environment, and that is the essential role you play in the future of our region. I am pleased that progress is being made on nearly every issue that has arisen thus far, and that the project seems to be on course for subsequent approval.

I believe in the role and mission of each of your agencies. I am, once again, so impressed by the professionalism of each of you involved in the project review. You are each a credit to your profession and to your commitment to public service.

From: Swiderski, Jim [mailto:Jim.Swiderski@mail.house.gov]  
Sent: Thursday, August 14, 2014 10:51 AM  
To: Bruner, Douglas W MVP; 'Steve.Colvin@state.mn.us'; 'Jess.Richards@state.mn.us'; 'Bob.Meier@state.mn.us'; 'rperiman@fs.fed.us'; 'mjimenez@fs.fed.us'; 'westlake.kenneth@epa.gov'; 'walts.alan@epa.gov'  
Cc: 'bmoore@polymetminning.com'  
Subject: [EXTERNAL] RE: PolyMet Call Follow Up

Hello again,

I want to echo what Congressman Nolan has said. It is a pleasure to work with each of you.

Congressman Nolan asked me to prepare a brief report on this meeting. Would you be so kind as to take a few minutes and send me a few paragraphs summarizing the comments you made during the meeting? The questions Congressman Nolan asked during the meeting were:

1. Please summarize where you are at overall in the review process. What is completed and what is yet to be completed?
2. What does the schedule look like going forward? What is your expected completion date? Do you foresee any problems at this point? Will subsequent permits be able to be processed on a timely basis, based on what you know at this time?
3. Is anyone waiting on anyone else at this point? How often do you communicate as a group?
4. Are there any technical issues that have surfaced that are causing concern? Would these items cause problems with environmental standards compliance? Is there a way to address these issues?
5. Is there anything Congressman Nolan can do to assist you in completing this SDEIS? Do you have access to adequate financial resources and staff?

Please also include anything in addition to the questions mentioned above that seem relevant and should be mentioned at this point. Thanks so much.

Jim

Jim Swiderski

Legislative Director

US Representative Rick Nolan

2447 Rayburn HOB

Subject: RE: PolyMet Call Follow Up

Doug,

This is excellent. Exactly what I was looking for. Hope the others can respond soon.

Jim

-----Original Message-----

From: Bruner, Douglas W MVP [mailto:Douglas.W.Bruner@usace.army.mil]

Sent: Friday, August 15, 2014 9:24 AM

To: Swiderski, Jim

Cc: 'bmoore@polymetminning.com'; 'Steve.Colvin@state.mn.us'; 'Jess.Richards@state.mn.us'; 'Bob.Meier@state.mn.us'; 'rperiman@fs.fed.us'; 'mjimenez@fs.fed.us'; 'westlake.kenneth@epa.gov'; 'walts.alan@epa.gov'

Subject: RE: PolyMet Call Follow Up

Jim,

It was a pleasure working with you and Congressman Nolan as well.

The Corps's summary of yesterday's discussion is as follows:

1. Corps staff are currently reviewing comments on the NorthMet Mine supplemental draft environmental impact statement. To date we have not identified any substantial new information.
2. Corps review of the proposed wetland mitigation sites is ongoing. These sites are not yet approved. Staff are waiting on additional hydrology and monitoring data.
3. Corps staff recommend that PolyMet draft and submit its plan to address potential indirect effects to wetlands resulting from the project. The plan would be required in advance of a permit decision.
4. The decision whether to issue a Section 404 permit will not be made until after the final environmental impact statement is issued and we have prepared our record of decision.
5. The Corps remains on schedule for its part of the review.
6. Congressman Nolan asked if sequestration has affected the federal agencies: For the St. Paul's Regulatory Branch, sequestration combined with agency decisions regarding funding has significantly impacted Regulatory staffing, resulting in a substantial impact to our permit evaluation time frames. Consequently, Corps staff are relying heavily on MDNR and U.S. Forest Staff for aspects of the review that are not related to aquatic resource impacts.

Feel free to contact me if you require additional information.

Sincerely,

Doug Bruner

-----Original Message-----

## Westlake, Kenneth

---

**From:** Walts, Alan  
**Sent:** Friday, August 15, 2014 1:32 PM  
**To:** Swiderski, Jim; 'Bruner, Douglas W MVP'  
**Cc:** 'bmoore@polymetminning.com'; 'Steve.Colvin@state.mn.us'; 'Jess.Richards@state.mn.us'; 'Bob.Meier@state.mn.us'; 'rperiman@fs.fed.us'; 'mjimenez@fs.fed.us'; Westlake, Kenneth  
**Subject:** Re: PolyMet Call Follow Up

Thanks for asking - that is correct. We have a very good working relationship with all parties.

### Original Message

**From:** Swiderski, Jim  
**Sent:** Friday, August 15, 2014 9:47 AM  
**To:** Walts, Alan; 'Bruner, Douglas W MVP'  
**Cc:** 'bmoore@polymetminning.com'; 'Steve.Colvin@state.mn.us'; 'Jess.Richards@state.mn.us'; 'Bob.Meier@state.mn.us'; 'rperiman@fs.fed.us'; 'mjimenez@fs.fed.us'; Westlake, Kenneth  
**Subject:** RE: PolyMet Call Follow Up

Hi Alan,

I also understood that you are pleased with the progress to date and that each agency involved is so far making a good faith effort at compliance with NEPA. You have no present concerns in this regard. Is this correct? I want to report accurately to Congressman Nolan.

Thanks.

Jim

### -----Original Message-----

**From:** Walts, Alan [mailto:walts.alan@epa.gov]  
**Sent:** Friday, August 15, 2014 10:38 AM  
**To:** Swiderski, Jim; 'Bruner, Douglas W MVP'  
**Cc:** 'bmoore@polymetminning.com'; 'Steve.Colvin@state.mn.us'; 'Jess.Richards@state.mn.us'; 'Bob.Meier@state.mn.us'; 'rperiman@fs.fed.us'; 'mjimenez@fs.fed.us'; Westlake, Kenneth  
**Subject:** Re: PolyMet Call Follow Up

Jim -

EPA will continue to work closely with the lead agencies on addressing our comments, in order to reach a strong and timely Final EIS. We don't anticipate any resource issues in doing so.

Best,  
Alan

### Original Message

**From:** Swiderski, Jim  
**Sent:** Friday, August 15, 2014 9:14 AM  
**To:** 'Bruner, Douglas W MVP'  
**Cc:** 'bmoore@polymetminning.com'; 'Steve.Colvin@state.mn.us'; 'Jess.Richards@state.mn.us'; 'Bob.Meier@state.mn.us'; 'rperiman@fs.fed.us'; 'mjimenez@fs.fed.us'; Westlake, Kenneth; Walts, Alan

Hello everyone,

Thank you for participating in our conference call yesterday morning to review the current status of the PolyMet North Met Project SDEIS (Supplemental Draft Environmental Impact Statement). I know you all have very busy schedules and I appreciate the time you took to prepare for this call and for your thoughtful and candid replies.

Again, let me reiterate, that I see my role as being the advocate for the people of the 8th district of Minnesota. We want jobs and a healthy environment, and that is the essential role you play in the future of our region. I am pleased that progress is being made on nearly every issue that has arisen thus far, and that the project seems to be on course for subsequent approval.

I believe in the role and mission of each of your agencies. I am, once again, so impressed by the professionalism of each of you involved in the project review. You are each a credit to your profession and to your commitment to public service.

Again, my door is open to any of you, at any time. If an issue arises that could prove problematic, please let me know. I want to help you get the job done promptly and with full confidence in the anticipated results and impacts. Please keep me and my Legislative Director Jim Swiderski updated on your progress as we move through the critical project review phases ahead.

Sincerely,

Richard M. Nolan

Member of Congress

4. Are there any technical issues that have surfaced that are causing concern? Would these items cause problems with environmental standards compliance? Is there a way to address these issues?
5. Is there anything Congressman Nolan can do to assist you in completing this SDEIS? Do you have access to adequate financial resources and staff?

Please also include anything in addition to the questions mentioned above that seem relevant and should be mentioned at this point. Thanks so much.

Jim

Jim Swiderski

Legislative Director

US Representative Rick Nolan

2447 Rayburn HOB

Washington, DC 20515

Jim.swiderski@mail.house.gov

202-225-6211

From: Z113 Nolan, Rick

Sent: Thursday, August 14, 2014 11:30 AM

To: 'Douglas.W.Bruner@usace.army.mil'; 'Steve.Colvin@state.mn.us'; 'Jess.Richards@state.mn.us'; 'Bob.Meier@state.mn.us'; 'rperiman@fs.fed.us'; 'mjimenez@fs.fed.us'; 'westlake.kenneth@epa.gov'; 'walts.alan@epa.gov'

Cc: Swiderski, Jim; 'bmoore@polymetminning.com'

Subject: PolyMet Call Follow Up



3. Corps staff recommend that PolyMet draft and submit its plan to address potential indirect effects to wetlands resulting from the project. The plan would be required in advance of a permit decision.

4. The decision whether to issue a Section 404 permit will not be made until after the final environmental impact statement is issued and we have prepared our record of decision.

5. The Corps remains on schedule for its part of the review.

6. Congressman Nolan asked if sequestration has affected the federal agencies: For the St. Paul's Regulatory Branch, sequestration combined with agency decisions regarding funding has significantly impacted Regulatory staffing, resulting in a substantial impact to our permit evaluation time frames. Consequently, Corps staff are relying heavily on MDNR and U.S. Forest Staff for aspects of the review that are not related to aquatic resource impacts.

Feel free to contact me if you require additional information.

Sincerely,

Doug Bruner

-----Original Message-----

From: Swiderski, Jim [mailto:Jim.Swiderski@mail.house.gov]

Sent: Thursday, August 14, 2014 10:51 AM

To: Bruner, Douglas W MVP; 'Steve.Colvin@state.mn.us'; 'Jess.Richards@state.mn.us'; 'Bob.Meier@state.mn.us'; 'rperiman@fs.fed.us'; 'mjimenez@fs.fed.us'; 'westlake.kenneth@epa.gov'; 'walts.alan@epa.gov'

Cc: 'bmoore@polymetminning.com'

Subject: [EXTERNAL] RE: PolyMet Call Follow Up

Hello again,

I want to echo what Congressman Nolan has said. It is a pleasure to work with each of you.

Congressman Nolan asked me to prepare a brief report on this meeting. Would you be so kind as to take a few minutes and send me a few paragraphs summarizing the comments you made during the meeting? The questions Congressman Nolan asked during the meeting were:

1. Please summarize where you are at overall in the review process. What is completed and what is yet to be completed?
2. What does the schedule look like going forward? What is your expected completion date? Do you foresee any problems at this point? Will subsequent permits be able to be processed on a timely basis, based on what you know at this time?
3. Is anyone waiting on anyone else at this point? How often do you communicate as a group?

## Westlake, Kenneth

---

**From:** Bruner, Douglas W MVP <Douglas.W.Bruner@usace.army.mil>  
**Sent:** Friday, August 15, 2014 9:58 AM  
**To:** Swiderski, Jim  
**Cc:** 'bmoore@polymetminning.com'; 'Steve.Colvin@state.mn.us'; 'Jess.Richards@state.mn.us'; 'Bob.Meier@state.mn.us'; 'rperiman@fs.fed.us'; 'mjimenez@fs.fed.us'; Westlake, Kenneth; Walts, Alan  
**Subject:** RE: PolyMet Call Follow Up

Jim,

I would like to make one clarification with regard to #1, below. To date, the Corps has not identified any substantial new information "regarding aquatic resources", which was the focus of our discussion.

Thanks,

Doug

-----Original Message-----

**From:** Swiderski, Jim [mailto:Jim.Swiderski@mail.house.gov]  
**Sent:** Friday, August 15, 2014 9:15 AM  
**To:** Bruner, Douglas W MVP  
**Cc:** 'bmoore@polymetminning.com'; 'Steve.Colvin@state.mn.us'; 'Jess.Richards@state.mn.us'; 'Bob.Meier@state.mn.us'; 'rperiman@fs.fed.us'; 'mjimenez@fs.fed.us'; 'westlake.kenneth@epa.gov'; 'walts.alan@epa.gov'  
**Subject:** [EXTERNAL] RE: PolyMet Call Follow Up

Doug,

This is excellent. Exactly what I was looking for. Hope the others can respond soon.

Jim

-----Original Message-----

**From:** Bruner, Douglas W MVP [mailto:Douglas.W.Bruner@usace.army.mil]  
**Sent:** Friday, August 15, 2014 9:24 AM  
**To:** Swiderski, Jim  
**Cc:** 'bmoore@polymetminning.com'; 'Steve.Colvin@state.mn.us'; 'Jess.Richards@state.mn.us'; 'Bob.Meier@state.mn.us'; 'rperiman@fs.fed.us'; 'mjimenez@fs.fed.us'; 'westlake.kenneth@epa.gov'; 'walts.alan@epa.gov'  
**Subject:** RE: PolyMet Call Follow Up

Jim,

It was a pleasure working with you and Congressman Nolan as well.

The Corps's summary of yesterday's discussion is as follows:

1. Corps staff are currently reviewing comments on the NorthMet Mine supplemental draft environmental impact statement. To date we have not identified any substantial new information.

2. Corps review of the proposed wetland mitigation sites is ongoing. These sites are not yet approved. Staff are waiting on additional hydrology and monitoring data.

## Westlake, Kenneth

---

**From:** Westlake, Kenneth  
**Sent:** Tuesday, August 19, 2014 4:26 PM  
**To:** Walts, Alan  
**Cc:** Sedlacek, Michael  
**Subject:** FW: PolyMet Call Follow Up

---

**From:** Naramore, Barb (DNR) [mailto:Barb.Naramore@state.mn.us]  
**Sent:** Tuesday, August 19, 2014 11:58 AM  
**To:** Jim.Swidorski@mail.house.gov  
**Cc:** Bruner, Douglas W MVP (Douglas.W.Bruner@usace.army.mil); Richard Periman (rperiman@fs.fed.us); mjimenez@fs.fed.us; Westlake, Kenneth; walt.alan@epa.gov; Colvin, Steve E (DNR); Richards, Jess (DNR); Meier, Bob (DNR); Brad Moore  
**Subject:** RE: PolyMet Call Follow Up

Jim:

Thank you for the opportunity to participate in last week's call. DNR's responses to Congressman Nolan's questions are below in black text. Please let me know if you have questions or need additional information.

Best regards,

Barb

Barb Naramore  
Assistant Commissioner  
Minnesota Department of Natural Resources  
651-259-5033 (o), 651-341-5490 (m)

---

**From:** Swidorski, Jim [mailto:Jim.Swidorski@mail.house.gov]  
**Sent:** Thursday, August 14, 2014 10:51 AM  
**To:** 'Douglas.W.Bruner@usace.army.mil'; Colvin, Steve E (DNR); Richards, Jess (DNR); Meier, Bob (DNR); 'rperiman@fs.fed.us'; 'mjimenez@fs.fed.us'; 'westlake.kenneth@epa.gov'; 'walts.alan@epa.gov'  
**Cc:** 'bmoore@polymetmining.com'  
**Subject:** RE: PolyMet Call Follow Up

Hello again,

I want to echo what Congressman Nolan has said. It is a pleasure to work with each of you.

Congressman Nolan asked me to prepare a brief report on this meeting. Would you be so kind as to take a few minutes and send me a few paragraphs summarizing the comments you made during the meeting? The questions Congressman Nolan asked during the meeting were:

1. Please summarize where you are at overall in the review process. What is completed and what is yet to be completed? DNR and its federal co-leads have read, compiled, and classified all comments by theme. We have developed proposed dispositions for virtually all comments, and we are now working on the remaining

comments, most of which relate to water. Dispositions fall into one of four broad categories—i.e., general comment response, detailed comment response, EIS text modification, and mitigative or analytical change. We anticipate having dispositions identified for all remaining comments by mid-September. Following determination of the dispositions, the immediate next step involves implementing those dispositions. Where possible (i.e., the work is not contingent on other outstanding dispositions), work is already proceeding on comments for which we have determined the disposition.

2. What does the schedule look like going forward? What is your expected completion date? Do you foresee any problems at this point? Will subsequent permits be able to be processed on a timely basis, based on what you know at this time? Next steps are to respond to comments, complete new analyses, revise and complete the FEIS, distribute the FEIS for public review and then complete the EIS process [adequacy determination for the state and record of decision (ROD) for the federal agencies]. State permitting cannot be completed until we determine the EIS to be adequate. We won't have a schedule for the remaining steps through the adequacy decision until after the comment dispositions are completed. We anticipate that water-related analyses will be our critical path, but until we have identified all of the specific additional analyses that will be required, we cannot predict how long they'll take.
3. Is anyone waiting on anyone else at this point? How often do you communicate as a group? While there are always things in process, DNR is not aware that anyone is waiting unduly on anyone else at this time. We communicate frequently at various technical, management, and executive levels, both on regular schedules and on an as-needed basis. Co-lead project managers have weekly coordination meetings. Water issue technical teams are now meeting twice weekly to develop comment dispositions. Managing sponsors are meeting twice monthly to make decisions on sensitive issues, and executive sponsors are meeting monthly to decide on very sensitive issues. We have check-in meetings with the project proposer every other week and with cooperating agencies twice monthly.
4. Are there any technical issues that have surfaced that are causing concern? Would these items cause problems with environmental standards compliance? Is there a way to address these issues? We were aware of most of the commenters' technical concerns before the SDEIS was released. The few new issues that did arise in the public comments appear to be things that we can reasonably address. The Mount Polley tailings dam failure in British Columbia is creating something of a buzz among project opponents, who are suggesting parallels to the PolyMet tailings dam (see Mining Truth and MCEA web sites). The co-leads will, of course, seek to understand both similarities and differences and consider all relevant information from the Mount Polley situation as it becomes available.
5. Is there anything Congressman Nolan can do to assist you in completing this SDEIS? Do you have access to adequate financial resources and staff? State law requires project proposers to pay for EIS preparation costs, so the state is in a good financial position to complete its work on the environmental review. Congressman Nolan's continued interest and support is always helpful, but DNR has no specific requests for assistance at this time.

Please also include anything in addition to the questions mentioned above that seem relevant and should be mentioned at this point. Thanks so much.

Jim

Jim Swiderski  
Legislative Director  
US Representative Rick Nolan  
2447 Rayburn HOB  
Washington, DC 20515

[Jim.swiderski@mail.house.gov](mailto:Jim.swiderski@mail.house.gov)  
202-225-6211



## Westlake, Kenneth

---

**From:** Swiderski, Jim <Jim.Swiderski@mail.house.gov>  
**Sent:** Monday, November 24, 2014 5:44 PM  
**To:** 'bhalter@fs.fed.us'; 'rperiman@fs.fed.us'; Westlake, Kenneth; 'bstrom@fs.fed.us'; 'Tamara.E.Cameron@usace.army.mil'; 'bmoore@polymetmining.com'; 'Douglas.W.Bruner@usace.army.mil'; 'Naramore, Barb (DNR)'; Blom, Patti R (DNR) (patti.blom@state.mn.us); Colvin, Steve E (DNR); Richards, Jess (DNR)  
**Cc:** Torkelson, Jodie; Anderson, Jeff; Yates, lone  
**Subject:** PolyMet Conference Call: Status Update  
**Attachments:** removed.txt

Hello to all;

Congressman Nolan has asked me to reconvene the excellent conference call panel we had last August to review the current status of the NorthMet Project Supplemental Draft Environmental Impact Statement (SDEIS) as proposed by PolyMet, Inc.. As we did last time, with regard to this SDEIS, he asks that each major agency:

1. review the progress being made in their areas of major responsibility,
2. mention any new issues that have arisen, that may or may not be a concern,
3. summarize the outstanding issues yet to be resolved, and
4. provide an estimate of the completion date as close as can be determined.

Congressman Nolan has asked that a representative from PolyMet also participate in the call. The Congressman regards this as a "district casework" type of call. He wants it clearly understood he is in a potential problem solving posture, as he is with other constituents. His objective is not to interfere, but to make sure the system works as it should for his constituent. He believes the topics to be discussed will not be public information at this time, and they will not be discussed in public or be used for the press or media.

We plan to have this call on  
Thursday, January 8, 2015  
11:00 am Eastern Time  
10:00 am Central Time.

Please confirm that you or someone from your agency will be able to participate in this call.

Also, please send an outline of your presentation to me at this email address, not later than close of business Tuesday, January 7. Also, please get back to me if you have any questions or concerns.

Thank you all so much.

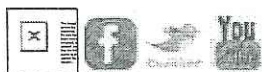
Jim

---

### Jim Swiderski

#### *Legislative Director*

Minnesota 8<sup>th</sup> District Congressman Rick. Nolan  
2447 Rayburn House Office Building  
Washington, DC 20515  
P: (202) 225-6211  
D: (202) 226-3025  
C: (202) 570-6706



Sign up for Congressman Nolan's Monday Report [here](#).



## Westlake, Kenneth

**From:** Deamer, Eileen  
**Sent:** Wednesday, December 03, 2014 8:03 AM  
**To:** Swiderski, Jim  
**Cc:** Beckmann, Ronna Erin  
**Subject:** FW: PolyMet Conference Call: Status Update

Hi Jim -

EPA representatives are available that day and time for a conference call. Our Deputy Regional Administrator, Bharat Mathur, may join the call as well.

Thanks,  
Eileen Deamer  
(312) 886-1728

**From:** Swiderski, Jim [<mailto:Jim.Swiderski@mail.house.gov>]  
**Sent:** Monday, November 24, 2014 5:44 PM  
**To:** 'bhalter@fs.fed.us'; 'rperiman@fs.fed.us'; Westlake, Kenneth; 'bstrom@fs.fed.us'; 'Tamara.E.Cameron@usace.army.mil'; 'bmoore@polymetminning.com'; 'Douglas.W.Bruner@usace.army.mil'; 'Naramore, Barb (DNR)'; Blom, Patti R (DNR) ([patti.blom@state.mn.us](mailto:patti.blom@state.mn.us)); Colvin, Steve E (DNR); Richards, Jess (DNR)  
**Cc:** Torkelson, Jodie; Anderson, Jeff; Yates, Ione  
**Subject:** PolyMet Conference Call: Status Update

Hello to all;

Congressman Nolan has asked me to reconvene the excellent conference call panel we had last August to review the current status of the NorthMet Project Supplemental Draft Environmental Impact Statement (SDEIS) as proposed by PolyMet, Inc.. As we did last time, with regard to this SDEIS, he asks that each major agency:

1. review the progress being made in their areas of major responsibility,
2. mention any new issues that have arisen, that may or may not be a concern,
3. summarize the outstanding issues yet to be resolved, and
4. provide an estimate of the completion date as close as can be determined.

Congressman Nolan has asked that a representative from PolyMet also participate in the call. The Congressman regards this as a "district casework" type of call. He wants it clearly understood he is in a potential problem solving posture, as he is with other constituents. His objective is not to interfere, but to make sure the system works as it should for his constituent. He believes the topics to be discussed will not be public information at this time, and they will not be discussed in public or be used for the press or media.

We plan to have this call on

Thursday, January 8, 2015

11:00 am Eastern Time

10:00 am Central Time.

Please confirm that you or someone from your agency will be able to participate in this call.

Also, please send an outline of your presentation to me at this email address, not later than close of business Tuesday, January 7. Also, please get back to me if you have any questions or concerns.

